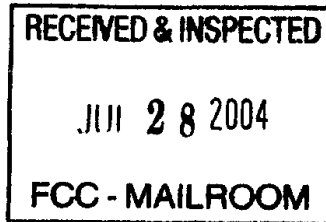


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City Council



City Hall
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Phone: 909 . 413 . 3008
Fax: 909 . 413 . 3760
www.moreno-valley.ca.us

July 19, 2004

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th St. S.W.
Washington, D.C. 20554

Re: Late-Filed Comment in WC Docket No. 04-36

Dear Ms. Dortch:

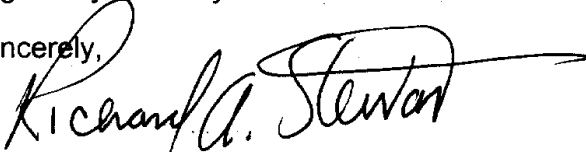
Pursuant to Section 1.1206 of the Commission's rules, please accept these comments on behalf of the City of Moreno Valley, California, in the rulemaking proceeding regarding Voice over Internet Protocol (VoIP).

VoIP service is poised to offer valuable telecommunications and other services. It is also poised to replace traditional telephone services. Therefore, we feel strongly that the Commission should take action to ensure that the policy goals long established by local and state regulations are protected as VoIP emerges as a market force. We therefore urge the Commission to:

- Find that VoIP service that offers real-time voice communication is a telecommunications service;
- Require VoIP providers to comply with social policy programs, including providing 911 services, universal service contributions, consumer protection rules, and disability access requirements;
- Acknowledge that local governments continue to have authority to regulate public rights-of-way;
- Confirm that state and local governments may impose taxes and fees on VoIP providers to the extent such taxes and fees are imposed on providers of comparable service; and
- Establish a level playing field for services that compete against each other.

We urge the Commission to consider fully the public interest, and to ensure that public policy programs are protected. We also urge the Commission not to preempt state and local regulatory authority over VoIP.

Sincerely,


Richard A. Stewart
Mayor Pro Tem

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District 4

William H. Batey, II
District 5